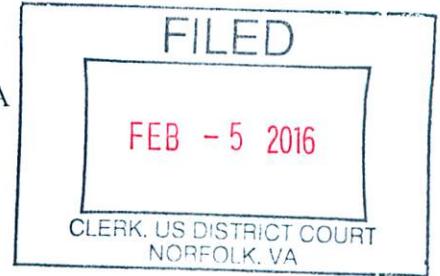


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



ANTHONY LORENZO COLEMAN, #1008008,

Petitioner,

v.

ACTION NO. 2:15cv46

HAROLD W. CLARKE,
Director, Virginia Dept. of Corrections,

Respondent.

FINAL ORDER

Petitioner, a Virginia inmate, submitted a *pro se* petition pursuant to 28 U.S.C. § 2254. ECF No. 1. The Petition alleges violations of federal rights pertaining to Petitioner's convictions in the Circuit Court for Prince George's County for four counts of distribution of cocaine, third or subsequent offense, in violation of Virginia Code § 18.2-248; four counts of distribution of marijuana, in violation of Virginia Code § 18.2-248.1; and four counts of driving on a suspended license, in violation of Virginia Code § 46.2-301.1. ECF No. 12 attach. 1 at 3-5. As a result of the convictions, the trial court sentenced Petitioner to a total of 180 years and forty-eight months of incarceration, and suspended all but the statutory mandatory minimum period of incarceration, resulting in an active sentence of twenty years and forty days. *Id.* at 4.

The matter was referred to a United States Magistrate Judge pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia for a Report and Recommendation. The Report and Recommendation filed November 16, 2015, recommends dismissal of the Petition. ECF No. 15.

Each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge. On December 21, 2015, the Court received Petitioner's objections to the Report and Recommendation, wherein Petitioner argues ineffective assistance of counsel as cause to overcome his procedural default. ECF No. 18. Respondent did not file objections.

The Court, having reviewed the record and examined the objections filed by Petitioner to the Report and Recommendation, and having made *de novo* findings with respect to the portions objected to, **ADOPTS** and **APPROVES** the findings and recommendations set forth in the Report and Recommendation filed November 16, 2015. It is, therefore, **ORDERED** that the Petition be **DENIED** and **DISMISSED**. It is further **ORDERED** that Judgment be entered in favor of Respondent.

Petitioner merely repeated the claims he made in the Petition, and has failed to demonstrate "a substantial showing of the denial of a constitutional right;" therefore, the Court declines to issue any certificate of appealability pursuant to Rule 22(b) of the Federal Rules of Appellate Procedure. *See Miller-El v. Cockrell*, 537 U.S. 322, 335-36 (2003). Petitioner is advised that he may appeal from the Judgment entered pursuant to this Final Order by filing a *written* notice of appeal with the Clerk of this Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within thirty days from the date of entry of such Judgment.

The Clerk of Court is requested to forward a copy of this Final Order to Petitioner and counsel of record for Respondent.



Arenda L. Wright Allen
United States District Judge

Norfolk, Virginia
Feb 5th, 2016